

1/13/10



## START ACTION NOTICE

1. **Type of Action:** Amend regulation 1140 – NATIONAL LOW EMISSION VEHICLE PROGRAM (NLEV) by replacing the entire regulation with a new regulation. DELAWARE LOW EMISSION VEHICLE PROGRAM (i.e., California Low Emission Vehicle Standards).
2. **Purpose of Action:** The purpose of this action is to reduce on-road mobile emissions of volatile organic compounds (VOC) and nitrogen oxides (NOx) to aid in the attainment of the ozone air quality standard, reduce carbon monoxide (CO<sub>2</sub>) emissions which contribute to climate change, and reduce air toxics. This reduction will benefit public health, safety and welfare.

Beginning with model year 2013 vehicles (starting on January 1, 2012), only light duty vehicles which are certified by the State of California may be sold in the State of Delaware. This is the same program currently in effect in California, New York, Connecticut, Maine, Rhode Island, Pennsylvania, Vermont, Washington, Oregon, New Jersey, Maryland, Massachusetts, New Mexico, and Arizona. Pursuant to Section 177 of the Clean Air Act this program must be essentially identical to the California program.

The current requirements in Regulation No. 1140 are to be deleted due to its obsolescence. The NLEV program has administratively sunset, with the sale of model year 2005 vehicles.

3. **Statutory Basis:** 7 Del. C., Chapter 60, Environmental Control.
4. **Likely Affected Public:** Anyone in the State of Delaware who sells or purchases a new auto or a (most) light-duty truck after January 1, 2012.
5. **Proposed Schedule:**

Public Workshop (03/10)	Adoption (06/10)
Public Notification (04/10)	Effective Date (06/11/2010)
Public hearing (05/10)	

**Review Committee:** No changes to the California requirements may be made. The Department knows of no issues requiring review committee discussion prior to the Department's developing and releasing the proposed amendment for public comment. The Department believes that the holding of a public hearing will provide adequate opportunity for public education, review, and comment.

### 6. **Responsible Staff Member:**

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### Approvals

Responsible Staff Member

Date

Division Director

Date




12.2.09